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PATENT  
Atty. Dkt. No. ABI1460-2  
(071243-1301)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Desai et al.

Title: NOVEL FORMULATIONS OF  
PHARMACOLOGICAL AGENTS,  
METHODS FOR THE  
PREPARATION THEREOF AND  
METHODS FOR THE USE  
THEREOF

Appl. No.: 09/446,783

Filing Date: 05/16/2000

Examiner: M. Hartley

Art Unit: 1616

<b>CERTIFICATE OF MAILING</b>
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450, on the date below.
<u>Stephen E. Reiter</u> (Printed Name)
 (Signature)
<u>11/21/03</u> (Date of Deposit)

COMMISSIONER FOR PATENTS  
P O BOX 1450  
ALEXANDRIA VA 22313 1450

**IDS TRANSMITTAL**

Sir:

Transmitted herewith for the above-identified application please find:

- (1) Information Disclosure Statement.
- (2) Completed Form PTO/SB/08
- (3) Copies of the cited references
- (4) A check in the amount of \$180.00.
- (5) Postcard

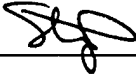
In re Application of:  
Desai et al.  
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Page 2

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A check in the amount of \$180.00 is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date: 11/21/03

By  E,

FOLEY & LARDNER  
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Telephone: (858) 847-6711  
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Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Desai et al.

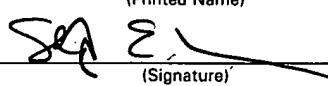
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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

12/01/2003 RMEBRAHT 00000006 09446783

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### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application.

### **RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

### **FEE**

A fee in connection with submission of a supplemental information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

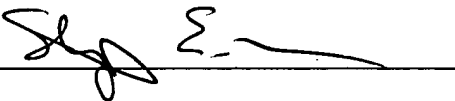
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Page 3

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Respectfully submitted,

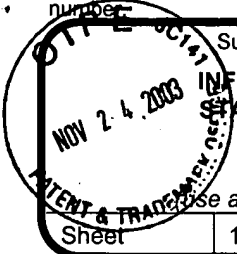
Date: 11/21/02

By 

FOLEY & LARDNER  
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Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	09/446,783
Filing Date	05/16/2000
First Named Inventor	Neil DESAI
Group Art Unit	1616
Examiner Name	M/Hartley
Attorney Docket Number	ABI1460-2 (071243-1301)

**'U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	4,417,767		Yapel	04-03-1979	
	A2	5,079,018		Ecanow	01-07-1992	
	A3	5,399,363		Liversidge et al.	03-21-1995	
	A4	5,498,421		Grinstaff et al.	03-12-1996	
	A5	5,733,925		Kunz et al.	03-31-1998	
	A6	5,795,909		Shashoua et al.	08-18-1998	
	A7	5,977,163		Li et al.	11-02-1999	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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